

C:\OFFICE\DOCS\0508JF02

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JUN 07 2001

Michael N. Milby, Clerk of Court

IN RE:

CASE NO. 01-31223-H4-13

MICHAEL PORTER HICKS, SR.
and CAROLYN SUE HICKS,
105 Bartlett Road
Sealy, Texas 77474

CHAPTER 13 PROCEEDING

Debtors.

CATHERINE TAYLOR, Individually and
as Next Friend and the Guardian of
Charles Taylor, NCM,

Movant,

HEARING DATE:
June 5, 2001

VS.

TIME: 10:00 A.M.

Michael Porter Hicks, Sr., Carolyn Sue Hicks
and William Heitkamp, Chapter 13 Trustee,

Respondents.

TRUSTEE: HEITKAMP

AGREED ORDER FOR STAY TERMINATION

Came on to be considered the Motion for Modification of Automatic Stay for State Court Case to Proceed filed on behalf of Catherine Taylor and Charles Taylor, NCM. It is, therefore,

ORDERED that the Motion for Modification of the 11 U.S.C. § 362 Stay to allow litigation and claims to proceed in state court is GRANTED. ~~A separate motion joining the~~ WT
JP Trustee is agreed to be filed concerning fraudulent transfer causes of action to be filed in state court and such request for relief is withdrawn without prejudice. It is, further,

ORDERED that the automatic stay is modified as to the estate of Michael Porter Hicks, Sr. and Carolyn Sue Hicks and William Heitkamp, the Chapter 13 Trustee, for litigation to proceed in the Texas state courts as to the parties appearing, Charles Taylor, NCM, Catherine Taylor, individually and as next friend and the guardian of Charles Taylor, NCM, Michael Porter

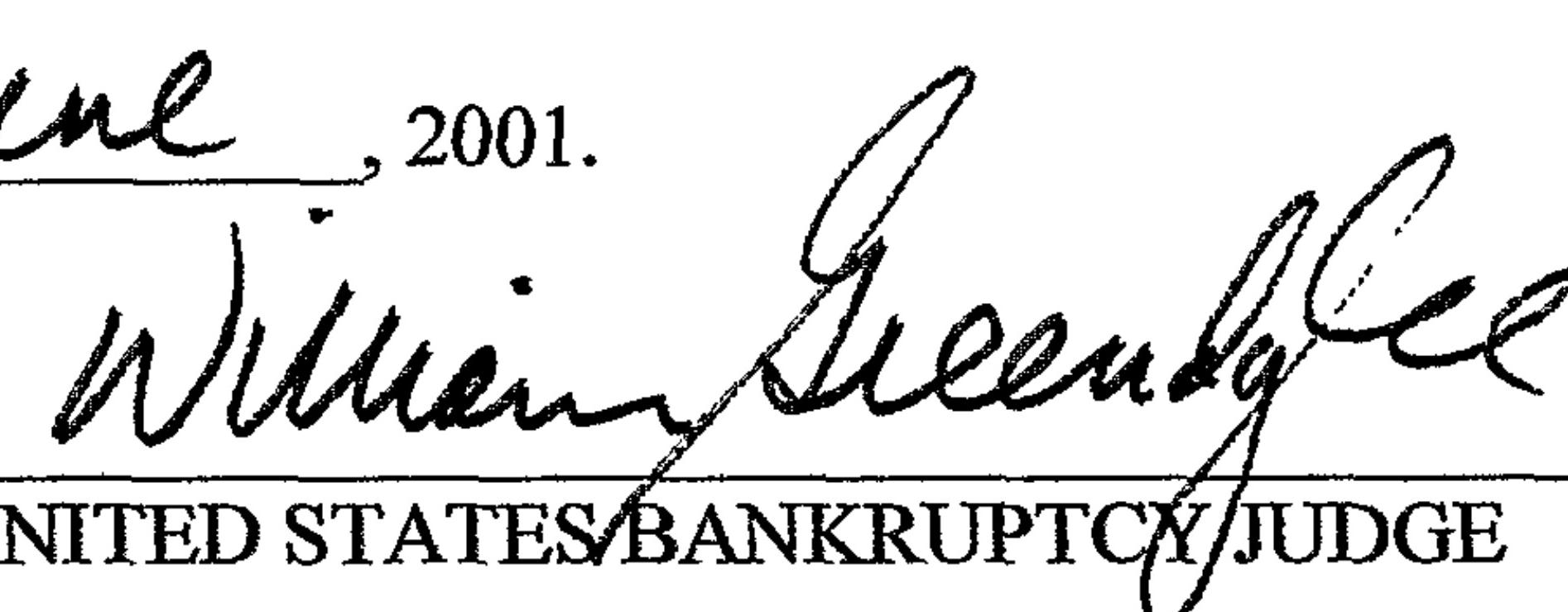
C:\OFFICE\DOCS\0508JF02

Hicks, Sr., LMS Rentals, Inc., American Fabritech, Inc. and their successors and assigns, whether individually or as a corporate agent, for the following state court litigation matter:

Cause No. 97V-100 and 97V-100A, *Catherine Taylor, Individually and as Next Friend of Charles Taylor v. American Fabritech, Inc., LMS Rentals, Inc., and Michael Porter Hicks, Sr.*, 155th Judicial District Court, Austin County, Texas to liquidate and determine claims and liabilities, whether due from an entity, surety, insurer or liable individual.

and thereafter, to return to this Court for further debt relief administration as may be incident to judgment enforcement and Title 11 of the laws of the United States of America as to Michael Porter Hicks, Sr. and/or Carolyn Sue Hicks.

SIGNED the 5th day of June, 2001.



UNITED STATES BANKRUPTCY JUDGE

Movant has complied with Bankruptcy Rule 4001.

APPROVED AND AGREED.



JAMES CHARLES FOGO
122 Tuam
Houston, Texas 77006
713-807-7744
Fax 713-807-0030
State Bar No. 07207520
Fed. Adm. I.D. No. 4187
Attorney for Movant
Catherine Taylor, Individually and as
Next Friend and the Guardian of
Charles Taylor, NCM



GEORGE O. MEJLAENDER
Tucker, Clennan & Mejlaender, PLLC
P.O. Box 801261
Houston, Texas 77280-1261
Attorney for Michael Porter Hicks, Sr.
and Carolyn Sue Hicks
Chapter 13 Debtors